

Law Office Of

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Via ECF

August 26, 2019

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
New York, New York 10007

Re: *United States v. Fredy Renan Najera Montoya*
15-cr-378 (PGG-1)

Dear Judge Gardephe:

In compliance with this Court's Order dated August 5, 2019, (Document 118) permitting Defendant to submit a letter by Monday, August 26, 2019, Defendant asserts his actual innocence to Count One of the Superseding Indictment and demands a trial by jury.

If the government submits a reply by September 9, 2019, stating that it wishes to litigate Defendant's motion to withdraw his plea, Defendant Najera will request a four (4) week extension to submit additional evidence and memorandum of law regarding the actual conflict resulting from Attorney Rocha's prior representation of Ramon Matta Walduirraga and how the actual conflict of interest prejudiced Defendant Najera in preparing for trial and at the change of plea on December 10, 2018.

Respectfully submitted,

/s/ *Joaquin Perez* /

JOAQUIN PEREZ, ESQ.

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cc: Matthew J. Laroche, AUSA
Emil J. Bove, III, AUSA
(Via ECF)